

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON DIVISION**

**JONATHAN R., et al.,**

*Plaintiffs,*

**v.**

**JIM JUSTICE, in his official capacity as  
Governor of West Virginia, et al.,**

**Case No. 3:19-cv-00710**

*Defendants.*

---

**NOTICE OF APPEAL**

---

Notice is hereby given that Plaintiffs Jonathan R., et al. in the above-named case hereby appeals to the United States Court of Appeals for the Fourth Circuit from the orders granting Defendants' Motion to Dismiss, (ECF No. 17); Defendants' Motion to Dismiss the Claims of Named Plaintiffs Chris K., Calvin K., and Carolina K., (ECF No. 55); Defendants' Motion to Dismiss the Claims of Named Plaintiff Garrett M., (ECF No. 88); Defendants' Motion to Clarify Plaintiffs' Proposed Class Definition and to Dismiss Named Plaintiff Gretchen C., (ECF No. 107); and Defendants' Motion to Dismiss the Claims of Named Plaintiff Serena S., (ECF No. 167), entered in this action on the 28<sup>th</sup> day of July, 2021, as well as from the final judgment order subsequently entered in this action on the 29<sup>th</sup> day July, 2021, (ECF No. 258).

Jonathan R. et al.,

Plaintiffs

By Counsel:

/s/ Richard W. Walters

Richard W. Walters, (WVSB #6809)

[rwalters@shafferlaw.net](mailto:rwalters@shafferlaw.net)

J. Alexander Meade, (WVSB #13021)

[ameade@shafferlaw.net](mailto:ameade@shafferlaw.net)

Shaffer & Shaffer, PLLC,  
2116 Kanawha Boulevard, East  
Post Office Box 3973  
Charleston, West Virginia 25339-3973  
Tel: (304) 344-8716  
Fax: (304) 344-1481

/s/ Marcia Robinson Lowry

Marcia Lowry, *admitted pro hac vice*  
[m\\_lowry@abetterchildhood.org](mailto:m_lowry@abetterchildhood.org)  
Allison Mahoney, *admitted pro hac vice*  
[amahoney@abetterchildhood.org](mailto:a_mahoney@abetterchildhood.org)  
Dawn Post, *admitted pro hac vice*  
[dpost@abetterchildhood.org](mailto:dpost@abetterchildhood.org)  
Aarti Iyer, *admitted pro hac vice*  
[aiyer@abetterchildhood.org](mailto:aiyer@abetterchildhood.org)  
Tavi Unger  
[tunger@abetterchildhood.org](mailto:tunger@abetterchildhood.org)

A Better Childhood  
355 Lexington Avenue, Floor 16  
New York, NY 10017  
Tel.: (646) 795-4456  
Fax: (212) 692-0415

/s/ Lori Waller

Disability Rights of West Virginia  
Lori Waller, (WVSB #11303)  
[lwaller@drofwv.org](mailto:lwaller@drofwv.org)  
1207 Quarrier Street, Suite 400  
Charleston, WV 25301  
Tel: (304) 346-0847  
Fax: (304) 346-0687

***Attorneys for Plaintiffs***

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON DIVISION**

**JONATHAN R., et al.,**

*Plaintiffs,*

**v.**

**JIM JUSTICE, in his official capacity as  
Governor of West Virginia, et al.,**

**Case No. 3:19-cv-00710**

*Defendants.*

**CERTIFICATE OF SERVICE**

I, Richard W. Walters, counsel for Jonathan R., et al., do hereby certify that on this **4<sup>th</sup>** day of **August, 2021**, I electronically filed a **“Notice of Appeal”** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following counsel of record:

Philip J. Peisch, Esquire  
Caroline M. Brown, Esquire  
Julia M. Siegenberg, Esquire  
Brown & Peisch PLLC  
1233 20th Street NW, Suite 505  
Washington, DC 20001

Steven R. Compton, Esquire  
West Virginia Attorney General’s Office  
812 Quarrier Street, 2nd Floor  
Charleston, WV 25301

/s/ Richard W. Walters  
Richard W. Walters (WVSB #6809)